

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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FRANK VAN DEN BOSCH,

ORDER

Plaintiff,

09-cv-62-bbc

v.

RICK RAEMISCH, DAN WESTFIELD,  
MIKE THURMER, DON SIROTTA,  
SGT. DULKE, WILLIAM POLLARD,  
PETER ERICKERSON, KEVIN POSTL,  
RICHARD SCHNEITER, GARY BOUGHTON  
and SGT. HUIBREGTSE,

Defendants.

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This is a civil action for monetary, declaratory and injunctive relief in which plaintiff Frank Van den Bosch, who is proceeding pro se, alleges that defendants violated his constitutional rights when they created and enforced a policy banning a newsletter plaintiff publishes and distributes to inmates that is critical of the Wisconsin Department of Corrections. Plaintiff has paid the \$350 fee for filing his complaint.

The next step is for plaintiff to serve his complaint on the defendants. Under Fed. R. Civ. P. 4(m), a plaintiff has 120 days after filing a complaint in which to serve the defendant. However, that is an outside limit with few exceptions. This court requires that

a plaintiff act diligently in moving his case to resolution. If plaintiff acts promptly, he should be able to serve his complaint on the defendants well before the deadline for doing so established in Rule 4.

To help plaintiff understand the procedure for serving a complaint, I am enclosing with this order a copy of a document titled "Procedure for Serving a Complaint on Individuals in a Federal Lawsuit." In addition, I am enclosing to plaintiff the extra copies of his complaint he sent this court and forms he will need to send to the defendants in accordance with the procedures set out in Option 1 of the memorandum.

#### ORDER

IT IS ORDERED that plaintiff promptly serve his complaint on the defendants and file proof of service of his complaint as soon as service has been accomplished. If, by April 6, 2009, plaintiff fails to submit proof of service of his complaint on the defendants or explain his inability to do so, I will direct plaintiff to show cause why his case should not be dismissed for lack of prosecution.

Entered this 4<sup>th</sup> day of February, 2009.

BY THE COURT:

/s/

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BARBARA B. CRABB  
District Judge